

RESOLUTION NO.

**A RESOLUTION OF INTENT TO ANNEX CERTAIN PROPERTIES IN
WELD COUNTY, COLORADO TO THE TOWN OF FREDERICK, SAID
ANNEXATION TO BE KNOWN AS "ST. VRAIN / TRI-AREA
SANITATION DISTRICT ANNEXATION #2"**

WHEREAS, a petition for annexation of certain properties has been filed with the Board of Trustees of the Town of Frederick by the St. Vrain Sanitation District through its agent, CDS Engineering Corp; and

WHEREAS, the Board of Trustees has reviewed the petition; and

WHEREAS, the Board of Trustees wishes to permit simultaneous consideration of the subject property for annexation and zoning, as requested in the petition; and

WHEREAS, the Board of Trustees has reviewed the petition and desires to adopt by Resolution its findings in regard to the petition;

**BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF
FREDERICK, COLORADO, AS FOLLOWS:**

Section 1. The petition, whose legal descriptions are attached hereto as Exhibit A and incorporated by reference herein, is in substantial compliance with the applicable laws of the State of Colorado and Town of Frederick Land Use Code.

Section 2. No election is required under C.R.S. §31-12-107(2).

Section 3. No additional terms and conditions are to be imposed except those provided for in the petition.

Section 4. The Board of Trustees will hold a public hearing for the purpose of determining if the proposed annexation complies with C.R.S. §31-12-104, and with C.R.S. §31-12-105, and will hold a public hearing to determine the appropriate zoning of the subject property as requested in the petition, at the Frederick Town Hall, 401 Locust, Frederick, Colorado 80516, at the following time and date:

7:00 PM JANUARY 26, 2010

Section 5. Any person may appear at such hearing and present evidence relative to the proposed annexation or the proposed zoning.

Section 6. Upon completion of the hearing, the Board of Trustees shall set forth, by resolution, its findings and conclusions with reference to the eligibility of the proposed annexation, and whether the statutory requirements for the proposed annexation have been met,

and further, will determine the appropriate zoning of the subject property if requested in the petition.

Section 7. If the Board of Trustees concludes, by resolution, that all statutory requirements have been met and that the proposed annexation is proper under the laws of the State of Colorado, the Board of Trustees shall pass one or more ordinances annexing the subject property to the Town of Frederick, and shall pass one or more ordinances zoning the subject property if requested in the petition.

INTRODUCED, READ, PASSED, AND SIGNED THIS 8th DAY of DECEMBER, 2009.

ATTEST:

TOWN OF FREDERICK

By _____
Nanette S. Fornof, Town Clerk

By _____
Eric E. Doering, Mayor

EXHIBIT A

Legal Description of Real Property Proposed for Annexation to the Town of Frederick

St. Vrain/Tri-Area Sanitation District Annexation #2

A portion of the Southwest Quarter of Section 19, Township 2 North, Range 67 West of the Sixth Principal Meridian, Weld County, Colorado, more particularly described as follows;

Considering the West line of said Southwest Quarter as bearing North 00°16'17" East between the monuments shown and described hereon, with all bearings contained herein relative thereto;
Commencing at the Southwest Corner of said Southwest Quarter;
thence North 00°16'17" East, along the West Line of said Southwest Quarter, a distance of 2,639.52 feet to the Northwest Corner of said Southwest Quarter;
thence North 00°18'36" East, along the West Line of the Northwest Quarter of said Section 19, a distance of 98.98 feet;
thence departing said West line, South 60°22'26" East, a distance of 224.89 feet to the POINT OF BEGINNING;
thence continue South 60°22'26" East, a distance of 84.33 feet;
thence South 00°17'38" West, a distance of 608.99 feet;
thence North 60°22'11" West, a distance of 84.33 feet;
thence North 00°17'37" East, a distance of 608.99 feet to the POINT OF BEGINNING.

Containing 44,770.77 square feet or 1.0278 acres, more or less.